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TERRY KINNEY

E.O. 12958: N/A

TAGS: [KTIP](#) [KCRM](#) [PHUM](#) [SMIG](#) [HK](#) [MC](#)

SUBJECT: TIP: HONG KONG WOULD BE "DISAPPOINTED" WITH A
CONTINUED TIER 2 RANKING

REF: HONG KONG 2340

¶1. (SBU) On December 30, E/P Chief and Poloff met with Hong Kong Security Bureau, Police and Labor Department officials to follow up on G/TIP Ambassador Luis CdeBaca's December 4 visit. The HKG officials appreciated Ambassador CdeBaca's visit and hoped he left with the "ground truth" that Hong Kong did not have a systemic trafficking-in-persons (TIP) problem. The officials acknowledged that occasional cases of labor exploitation of foreign domestic workers (FDWs) occurred but Hong Kong's anti-TIP regime was equipped to handle them. Labor officials highlighted the 140 cases of underpayment to FDWs they prosecuted in 2009, noting these successful convictions had been publicized to deter others from underpaying workers.

¶2. (SBU) Labor officials maintained that the high debt FDWs incurred to come to Hong Kong was a source country problem, not Hong Kong's. Labor officials told us that Secretary for Labor and Welfare Matthew Cheung pressed the new Indonesian Minister for Manpower and Transmigration Muhaimin Iskandar during the latter's recent visit to Hong Kong to lower fees charged to the workers. Iskandar told Cheung the Indonesian government was looking to lower fees for government-issued documents such as passports and visas, but training fees charged by recruitment agencies were market-driven and not under the government's control, according to the Labor official. The Indonesian government, however, was exploring decentralizing the training provided to FDWs which Hong Kong Labor officials believed would result in greater competition and lower training fees.

¶3. (SBU) While insisting that most FDWs took out loans from Indonesia-based financial institutions to pay training and administrative fees, Hong Kong police officials said they were looking at ways to investigate whether Hong Kong financial institutions were offering loans with terms that increased the financial burden on FDWs.

¶4. (SBU) Contending last year's Tier 2 ranking was unfair, a senior Security Bureau official repeated a question the Chief Secretary had asked Ambassador CdeBaca, i.e. if the U.S. was "moving the goal posts" on TIP (see ref). Poloff insisted the tier rankings had always been based on a governments' compliance with the minimum standards for the elimination of trafficking as laid out in the U.S. Trafficking Victims Protection Act. The senior official insisted Hong Kong had "walked the extra mile" to increase dialogue with local Consulates and reach out to NGOs. He stated that it would be "disappointing" if the U.S. disregarded Hong Kong's overall efforts again. The official stressed that Hong Kong could not accept being in "second place" to other Asian countries on human rights matters.

¶5. Hong Kong government participants included:

Wing Chit Ngai, Under Secretary for Security
Wing Hang Chow, Principal Assistant Secretary for Security
Ida Kit Ching Ng, Assistant Secretary for Security
Rudy Hui, Assistant Secretary for Security
Ngai Fong, Assistant Commissioner for Labor
Drew Lai, Senior Administrative Officer (Policy Support),
Labor Department
Adrian Kwan, Superintendent, Organized Crime and Triad
Bureau, Hong Kong Police
MARUT